CLASSIFICATION OFFICE DECISION

Title of publication:	521AA022692AC45
Other known title(s):	Not stated
OFLC ref:	2000036.009
Medium:	Image File
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	Commissioner of Police
Classification:	Objectionable.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	07 April 2020
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	07 April 2020

Summary of reasons for decision:

The image file explicitly depicts a man performing a sexual act on a young girl, who is a child or young teen, and is a record of her sexual abuse. It is deemed objectionable under s3(2)(a) of the Films, Videos and Publications Classification Act 1993 because It promotes and supports the exploitation of children or young persons for sexual purposes. The image creates and encourages the idea that young girls are available for adult sexual use and gratification. It can only be for the purpose of sexually arousing those with an interest in young girls. The objectionable classification interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention that publications falling within s3(2)(a) be banned. This also reflects the concern of a free and democratic society to protect its young and vulnerable members from sexual exploitation.